

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS**

ORLANDO VARELA,

Index No.

Plaintiff,

v.

SUMMONS

THE ROMAN CATHOLIC DIOCESE OF BROOKLYN, NEW YORK; ST. MICHAEL THE ARCHANGEL AND ST. EDWARD THE CONFESSOR ROMAN CATHOLIC CHURCH; SACRED HEART ROMAN CATHOLIC CHURCH; and MARY OF NAZARETH ROMAN CATHOLIC CHURCH,

Date Index No. Purchased:
November 7, 2019*Defendants..*

To the above named Defendant(s)

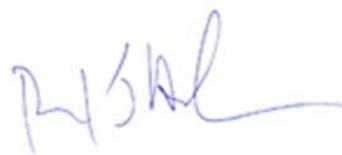
THE ROMAN CATHOLIC DIOCESE OF BROOKLYN, NEW YORK
310 Prospect Park West, Brooklyn, Kings County, New York

You are hereby summoned to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's attorney within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

The basis of venue is one or more Defendant resides in Kings County, which is located in Kings County, New York.

Dated: New York, New York
November 7, 2019

SIMMONS HANLY CONROY LLC



Paul J. Hanly, Jr.
Attorneys for Plaintiff
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New York, NY 10016
(212) 784-6401 Telephone
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Date Index No. Purchased:
November 7, 2019*Defendants..*

To the above named Defendant(s)

ST. MICHAEL THE ARCHANGEL AND ST. EDWARD THE CONFESSOR ROMAN CATHOLIC CHURCH
108 St. Edward Street, Brooklyn, Kings County, New York

You are hereby summoned to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's attorney within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

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**SUPREME COURT OF THE STATE OF NEW YORK
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THE ROMAN CATHOLIC DIOCESE OF BROOKLYN, NEW YORK; ST. MICHAEL THE ARCHANGEL AND ST. EDWARD THE CONFESSOR ROMAN CATHOLIC CHURCH; SACRED HEART ROMAN CATHOLIC CHURCH; and MARY OF NAZARETH ROMAN CATHOLIC CHURCH,

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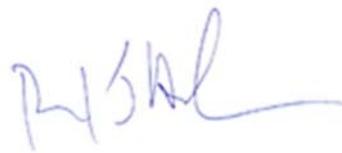
SACRED HEART ROMAN CATHOLIC CHURCH 41 Adelphi Street, Brooklyn, Kings County, New York

You are hereby summoned to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's attorney within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

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**SUPREME COURT OF THE STATE OF NEW YORK
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ORLANDO VARELA,

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THE ROMAN CATHOLIC DIOCESE OF BROOKLYN, NEW YORK; ST. MICHAEL THE ARCHANGEL AND ST. EDWARD THE CONFESSOR ROMAN CATHOLIC CHURCH; SACRED HEART ROMAN CATHOLIC CHURCH; and MARY OF NAZARETH ROMAN CATHOLIC CHURCH,

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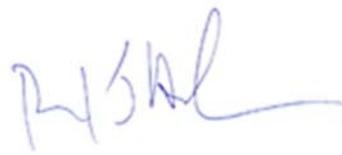
MARY OF NAZARETH ROMAN CATHOLIC CHURCH 41 Adelphi Street, Brooklyn, Kings County, New York

You are hereby summoned to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's attorney within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

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November 7, 2019

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**SUPREME COURT OF THE STATE OF NEW YORK
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ORLANDO VARELA,

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Plaintiff,

v.

THE ROMAN CATHOLIC DIOCESE OF BROOKLYN, NEW YORK; ST. MICHAEL THE ARCHANGEL AND ST. EDWARD THE CONFESSOR ROMAN CATHOLIC CHURCH; SACRED HEART ROMAN CATHOLIC CHURCH; and MARY OF NAZARETH ROMAN CATHOLIC CHURCH,

COMPLAINT

Defendants.

JURY TRIAL DEMANDED

Plaintiff Orlando Varela, by his attorneys Simmons Hanly Conroy LLC and the Law Offices of Mitchell Garabedian, brings this action against The Roman Catholic Diocese of Brooklyn, New York; St. Michael the Archangel and St. Edward the Confessor Roman Catholic Church; Sacred Heart Roman Catholic Church; and Mary of Nazareth Roman Catholic Church, and alleges, on personal knowledge as to himself and on information and belief as to all other matters, as follows:

JURISDICTION AND VENUE

1. This Court has personal jurisdiction over the Defendants pursuant to CPLR 301 and 302, in that the Defendants reside in New York.

2. This Court has jurisdiction over this action because the amount of damages Plaintiff seeks exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

3. Venue for this action is proper in the County of Kings pursuant to CPLR 503 in that one or more of the Defendants reside in this County and a substantial part of the events or omissions giving rise to the claims asserted herein occurred in this County.

PARTIES

4. Plaintiff Orlando Varela ("Plaintiff") is an individual residing in Brooklyn, Kings County, New York.

5. Defendant The Roman Catholic Diocese of Brooklyn, New York ("Diocese of Brooklyn") is a religious corporation organized pursuant to the New York Religious Corporations Law, with its principal office at 310 Prospect Park West, Brooklyn, Kings County, New York. The Diocese of Brooklyn is a Roman Catholic diocese. At all relevant times, the Diocese of Brooklyn created, oversaw, supervised, managed, controlled, directed and operated parishes or churches of the Diocese of Brooklyn, including during all relevant times, St. Michael the Archangel and St. Edward the Confessor Church; Sacred Heart Roman Catholic Church; and Mary of Nazareth Roman Catholic Church.

6. Defendant St. Michael the Archangel and St. Edward the Confessor Roman Catholic Church ("St. Michael - St. Edward") was a Roman Catholic parish within and under the authority of the Diocese of Brooklyn and was a religious corporation organized pursuant to the Religious Corporations Law with its principal office at 108 St. Edward Street, Brooklyn, Kings County, New York. At all relevant times, the Diocese of Brooklyn created, oversaw, supervised, managed, controlled, directed and operated St. Michael - St. Edward.

7. Defendant Sacred Heart Roman Catholic Church ("Sacred Heart") was a Roman Catholic parish within and under the authority of the Diocese of Brooklyn and was a religious corporation organized pursuant to the Religious Corporations Law with its principal office at 41 Adelphi Street, Brooklyn, Kings County, New York. At all relevant times, the Diocese of Brooklyn created, oversaw, supervised, managed, controlled, directed and operated Sacred Heart. As a result of a corporate merger, Defendant Sacred Heart was the legal successor to Defendant St. Michael - St. Edward.

8. Defendant Mary of Nazareth Roman Catholic Church ("Mary of Nazareth") is a Roman Catholic parish within and under the authority of the Diocese of

Brooklyn and is a religious corporation organized pursuant to the Religious Corporations Law with its principal office at 41 Adelphi Street, Brooklyn, Kings County, New York. At all relevant times, the Diocese of Brooklyn created, oversaw, supervised, managed, controlled, directed and operated Mary of Nazareth. As a result of a corporate merger, Defendant Mary of Nazareth is the legal successor to Defendants St. Michael – St. Edward and Sacred Heart.

FACTS COMMON TO ALL CLAIMS

9. Plaintiff and his family were parishioners of and attended St. Michael-St. Edward when Plaintiff was a minor child.

10. During the times relevant to the allegations set forth herein, Father George Wilders (“Father Wilders”) was assigned by Defendant Diocese of Brooklyn to be a priest at St. Michael – St. Edward, where Plaintiff’s family were parishioners. Father Wilders died in 1990.

11. Through his positions at, within, or for the Diocese of Brooklyn and St. Michael – St. Edward, Father Wilders was put in direct contact with members of the Plaintiff’s family, including Plaintiff, a minor parishioner of the Diocese of Brooklyn.

12. As a minor child, Plaintiff served as an altar boy at St. Michael – St. Edward, serving Masses with, among other priests, Father Wilders. From approximately 1975 when Plaintiff was approximately thirteen years of age, to approximately 1978 when Plaintiff was approximately sixteen years of age, Plaintiff worked in the rectory affiliated with St. Michael – St. Edward and interacted with Father Wilders at the rectory.

13. Father Wilders used such encounters, gained through his position at St. Michael – St. Edward which granted him access to Plaintiff when Plaintiff was approximately thirteen to sixteen years of age, to repeatedly sexually assault, sexually abuse, and/or have sexual contact with the Plaintiff in the rectory affiliated with St. Michael – St. Edward in violation of the laws of the State of New York.

Defendants' Responsibility for the Abuse Committed by Father Wilders

14. At all times material hereto, Father Wilders was under the management, supervision, employ, direction and/or control of Defendants Diocese of Brooklyn and St. Michael – St. Edward.

15. Through his positions at, within, or for Defendants Diocese of Brooklyn and St. Michael – St. Edward, Father Wilders was put in direct contact with Plaintiff.

16. Father Wilders used his position at, within, or for Defendants Diocese of Brooklyn and St. Michael – St. Edward and the implicit representations made by them about his character that accompanied that position, to gain Plaintiff's trust and confidence and to create an opportunity to be alone with, and to sexually touch, Plaintiff.

17. Defendants Diocese of Brooklyn and St. Michael – St. Edward had the duty to reasonably manage, supervise, control and/or direct priests who served at St. Michael – St. Edward, and specifically, had a duty not to aid pedophiles such as Father Wilders by assigning, maintaining, and/or appointing them to positions with access to minors.

18. Defendants Diocese of Brooklyn and St. Michael – St. Edward knew and/or reasonably should have known, and/or knowingly condoned, and/or covered up, the inappropriate and unlawful sexual activities of Father Wilders, who sexually abused Plaintiff.

19. Defendant Diocese of Brooklyn had a duty to the Plaintiff to properly supervise Diocese of Brooklyn priests to ensure that priests did not use their positions with the Diocese of Brooklyn as a tool for grooming and assaulting vulnerable children. Defendant Diocese of Brooklyn knew or should have known that Father Wilders used his positions with the Diocese of Brooklyn to sexually abuse minor children, including the Plaintiff.

Consequences of the Abuse

20. Plaintiff suffered personal physical and psychological injuries and damages as a result of Father Wilders's actions, as well as other damages related thereto,

as a result of the childhood sexual abuse Plaintiff sustained.

21. As a direct result of the Defendants Diocese of Brooklyn's and St. Michael - St. Edward's conduct described herein, Plaintiff suffered and will continue to suffer great pain of mind and body, severe and permanent emotional distress, and physical manifestations of emotional distress. Plaintiff was prevented from obtaining the full enjoyment of life; has incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling; and has incurred and will continue to incur loss of income and/or loss of earning capacity. As a victim of Father Wilders's sexual abuse, Plaintiff is unable at this time to fully describe all of the details of that abuse and the extent of the harm he suffered as a result.

CAUSES OF ACTION

FIRST CAUSE OF ACTION

Negligent Hiring/Retention/Supervision/Direction

22. Plaintiff repeats and re-alleges each and every allegation set forth in paragraphs 1 through 21 as if fully set forth herein.

23. Defendants Diocese of Brooklyn and St. Michael - St. Edward owed a duty of care to all minor persons, including Plaintiff, who were likely to come within the influence or supervision of Father Wilders in his role as priest, counselor, trustee, director, officer, employee, agent, servant and/or volunteer, to insure that Father Wilders did not use his assigned position to injure minors by sexual assault, sexual abuse, or sexual contact in violation of the laws of the State of New York.

24. Defendant Diocese of Brooklyn at all relevant times held the parishes of the Diocese of Brooklyn out to be safe places for minors to attend, and its priests as individuals to whom it was safe to entrust the care of minor children. Defendant Diocese of Brooklyn entered into an express and/or implied duty to safely treat Plaintiff and assumed the duty to protect and care for him.

25. Father Wilders sexually assaulted, sexually abused, and/or had sexual

contact with Plaintiff when Plaintiff was a minor in the rectory affiliated with St. Michael – St. Edward.

26. Defendants Diocese of Brooklyn and St. Michael – St. Edward negligently hired, retained, directed, and supervised Father Wilders, though they knew or should have known that Father Wilders posed a threat of sexual abuse to minors.

27. Defendants Diocese of Brooklyn and St. Michael – St. Edward knew or should have known of Father Wilders's propensity for the conduct which caused Plaintiff's injuries prior to, or at the time of, the injuries' occurrence.

28. Defendants Diocese of Brooklyn and St. Michael – St. Edward were negligent in failing to properly supervise Father Wilders.

29. The sexual abuse of children by adults, including priests, is a foreseeable result of negligence.

30. At all times material hereto, Defendants Diocese of Brooklyn's and St. Michael – St. Edward's actions were willful, wanton, malicious, reckless, negligent and/or outrageous in their disregard for the rights and safety of Plaintiff.

31. As a direct and proximate result, Plaintiff has suffered and will continue to suffer the injuries described herein.

32. Liabilities of St. Michael – St. Edward were transferred to, or assumed by, Sacred Heart. As a result, Sacred Heart is liable to the Plaintiff for the damages caused by St. Michael – St. Edward stated in this cause of action.

33. Liabilities of St. Michael – St. Edward and Sacred Heart were transferred to, or assumed by, Mary of Nazareth. As a result, Mary of Nazareth is liable to the Plaintiff for the damages caused by St. Michael – St. Edward stated in this cause of action.

34. By reason of the foregoing, the Defendants are liable to the Plaintiff, jointly, severally and/or in the alternative liable to the Plaintiff for compensatory damages and for punitive damages, together with interest and costs.

SECOND CAUSE OF ACTION
Negligence/Gross Negligence

35. Plaintiff repeats and re-alleges each and every allegation set forth in paragraphs 1 through 21 as if fully set forth herein.

36. Defendants Diocese of Brooklyn and St. Michael – St. Edward knew, or were negligent in not knowing, that Father Wilders posed a threat of sexual abuse to children.

37. The acts of Father Wilders described hereinabove were undertaken, and/or enabled by, and/or during the course, and/or within the scope of his respective employment, appointment, assignment, and/or agency with Defendants Diocese of Brooklyn and St. Michael – St. Edward.

38. Defendants Diocese of Brooklyn and St. Michael – St. Edward owed Plaintiff, a minor at the relevant times of abuse, a duty to protect him from Father Wilders's sexual deviancy and the consequential damages, both prior to and/or subsequent to Father Wilders's misconduct.

39. Defendants Diocese of Brooklyn's and St. Michael – St. Edward's willful, wanton, grossly negligent and/or negligent act(s) of commission and/or omission, resulted directly and/or proximately in the damage set forth herein at length.

40. Defendants Diocese of Brooklyn and St. Michael – St. Edward:

- a. gave improper or ambiguous orders or failed to make proper regulations, and/or employed improper persons or instrumentalities in work involving risk of harm to others;
- b. failed adequately to supervise the activities of Father Wilders;
- c. permitted, and/or intentionally failed and/or neglected to prevent, negligent and/or grossly negligent conduct and/or allowed other tortious conduct by persons, whether or not their servants and/or agents and/or employees, upon premises or with instrumentalities

under their control; and

- d. allowed the acts of omission and/or commission and/or any or all of the allegations set forth in this Complaint to occur.

41. At all times material hereto, with regard to the allegations contained herein, Father Wilders was under the supervision, employ, direction and/or control of Defendants Diocese of Brooklyn and St. Michael - St. Edward.

42. At all times material hereto, Defendants Diocese of Brooklyn's and St. Michael - St. Edward's actions were willful, wanton, malicious, reckless, negligent and outrageous in their disregard for the rights and safety of Plaintiff, which amounted to conduct equivalent to criminality.

43. As a direct and/or indirect result of said conduct, Plaintiff has suffered and will continue to suffer the injuries and damages described herein.

44. Liabilities of St. Michael - St. Edward were transferred to, or assumed by, Sacred Heart. As a result, Sacred Heart is liable to the Plaintiff for the damages caused by St. Michael - St. Edward stated in this cause of action.

45. Liabilities of St. Michael - St. Edward and Sacred Heart were transferred to, or assumed by, Mary of Nazareth. As a result, Mary of Nazareth is liable to the Plaintiff for the damages caused by St. Michael - St. Edward stated in this cause of action.

46. By reason of the foregoing, the Defendants are liable to the Plaintiff, jointly, severally and/or in the alternative liable to the Plaintiff for compensatory damages and for punitive damages, together with interest and costs.

THIRD CAUSE OF ACTION

Breach of Non-Delegable Duty

47. Plaintiff repeats and re-alleges each and every allegation set forth in paragraphs 1 through 21 as if fully set forth herein.

48. Plaintiff, when he was a minor, was placed in the care and supervision of the Defendants Diocese of Brooklyn and St. Michael - St. Edward for the purposes of,

inter alia, providing Plaintiff with a safe environment in which to participate in religious, educational, youth and recreational activities. There existed a non-delegable duty of trust between Plaintiff and the Defendants Diocese of Brooklyn and St. Michael - St. Edward.

49. Plaintiff was a vulnerable child when placed within the care of Defendants Diocese of Brooklyn and St. Michael - St. Edward.

50. As a consequence, Defendants Diocese of Brooklyn and St. Michael - St. Edward were in the best position to prevent Plaintiff's abuse, to learn of Father Wilders's repeated sexual abuse of Plaintiff, and to stop it.

51. By virtue of the fact that Plaintiff was sexually abused as a minor child entrusted to the care of the Defendants Diocese of Brooklyn and St. Michael - St. Edward, Defendants Diocese of Brooklyn and St. Michael - St. Edward breached their non-delegable duty to Plaintiff.

52. At all times material hereto Father Wilders was under the supervision, employ, direction and/or control of the Defendants Diocese of Brooklyn and St. Michael - St. Edward.

53. As a direct result of said conduct, Plaintiff has suffered and will continue to suffer the injuries and damages described herein.

54. Liabilities of St. Michael - St. Edward were transferred to, or assumed by, Sacred Heart. As a result, Sacred Heart is liable to the Plaintiff for the damages caused by St. Michael - St. Edward stated in this cause of action.

55. Liabilities of St. Michael - St. Edward and Sacred Heart were transferred to, or assumed by, Mary of Nazareth. As a result, Mary of Nazareth is liable to the Plaintiff for the damages caused by St. Michael - St. Edward stated in this cause of action.

56. By reason of the foregoing, the Defendants are liable to the Plaintiff, jointly, severally and/or in the alternative liable to the Plaintiff for compensatory damages and for punitive damages, together with interest and costs.

FOURTH CAUSE OF ACTION
Breach of Fiduciary Duty

57. Plaintiff repeats and re-alleges each and every allegation set forth in paragraphs 1 through 21 as if fully set forth herein.

58. There exists a fiduciary relationship of trust, confidence, and reliance between Plaintiff and Defendants Diocese of Brooklyn and St. Michael – St. Edward. This relationship is based on the entrustment of the Plaintiff while he was a minor child to the care and supervision of the agent or servant of the Defendants Diocese of Brooklyn and St. Michael – St. Edward. This entrustment of the Plaintiff to the care and supervision of the Defendants Diocese of Brooklyn and St. Michael – St. Edward, while the Plaintiff was a minor child, required the Defendants Diocese of Brooklyn and St. Michael – St. Edward to assume a fiduciary relationship and to act in the best interests of the Plaintiff, as well as to protect him while he was a minor and vulnerable child.

59. Pursuant to their fiduciary relationship, Defendants Diocese of Brooklyn and St. Michael – St. Edward were entrusted with the well-being, care, and safety of Plaintiff.

60. Pursuant to their fiduciary relationship, Defendants Diocese of Brooklyn and St. Michael – St. Edward assumed a duty to act in the best interests of Plaintiff.

61. Defendants Diocese of Brooklyn and St. Michael – St. Edward breached their fiduciary duty to Plaintiff.

62. At all times material hereto, the actions and/or inactions of Defendants Diocese of Brooklyn and St. Michael – St. Edward were willful, wanton, malicious, reckless, negligent and outrageous in their disregard for the rights and safety of Plaintiff.

63. As a direct result of said conduct, Plaintiff has suffered and will continue to suffer the injuries and damages described herein.

64. Liabilities of St. Michael – St. Edward were transferred to, or assumed by, Sacred Heart. As a result, Sacred Heart is liable to the Plaintiff for the damages caused

by St. Michael – St. Edward stated in this cause of action.

65. Liabilities of St. Michael – St. Edward and Sacred Heart were transferred to, or assumed by, Mary of Nazareth. As a result, Mary of Nazareth is liable to the Plaintiff for the damages caused by St. Michael – St. Edward stated in this cause of action.

66. By reason of the foregoing, the Defendants are liable to the Plaintiff, jointly, severally and/or in the alternative liable to the Plaintiff for compensatory damages and for punitive damages, together with interest and costs.

FIFTH CAUSE OF ACTION

Negligent Infliction of Emotional Distress

67. Plaintiff repeats and re-alleges each and every allegation set forth in paragraphs 1 through 21 as if fully set forth herein.

68. As described above, the actions of Defendants Diocese of Brooklyn and St. Michael – St. Edward, their agents, servants, and/or employees were conducted in a negligent and/or grossly negligent manner.

69. Defendants Diocese of Brooklyn's and St. Michael – St. Edward's actions endangered Plaintiff's safety and caused him to fear for his own safety.

70. As a direct and proximate result of Defendants Diocese of Brooklyn's and St. Michael – St. Edward's actions, which included but were not limited to negligent and/or grossly negligent conduct, Plaintiff suffered and will continue to suffer the severe injuries and damages described herein, including but not limited to, mental and emotional distress.

71. Liabilities of St. Michael – St. Edward were transferred to, or assumed by, Sacred Heart. As a result, Sacred Heart is liable to the Plaintiff for the damages caused by St. Michael – St. Edward stated in this cause of action.

72. Liabilities of St. Michael – St. Edward and Sacred Heart were transferred to, or assumed by, Mary of Nazareth. As a result, Mary of Nazareth is liable to the Plaintiff for the damages caused by St. Michael – St. Edward stated in this cause of action.

73. By reason of the foregoing, the Defendants are liable to the Plaintiff, jointly, severally and/or in the alternative liable to the Plaintiff for compensatory damages and for punitive damages, together with interest and costs.

SIXTH CAUSE OF ACTION

Breach of Duty *in Loco Parentis*

74. Plaintiff repeats and re-alleges each and every allegation set forth in paragraphs 1 through 21 as if fully set forth herein.

75. While he was a minor, Plaintiff was entrusted by his parents to the control of the Defendants Diocese of Brooklyn and St. Michael – St. Edward, as well as directly to Father Wilders, an agent or servant of Defendants Diocese of Brooklyn and St. Michael – St. Edward, for the purposes of *inter alia*, providing Plaintiff with appropriate guidance and an opportunity to enjoy educational and youth activities under responsible adult supervision. These Defendants owe — and owed — a duty to children entrusted to them to act *in loco parentis* and to prevent foreseeable injuries.

76. Defendants Diocese of Brooklyn and St. Michael – St. Edward breached their duty to act *in loco parentis*.

77. At all times material hereto, Defendants Diocese of Brooklyn's and St. Michael – St. Edward's actions were willful, wanton, malicious, reckless, negligent, grossly negligent and/or outrageous in their disregard for the rights and safety of Plaintiff.

78. As a direct result of Defendants Diocese of Brooklyn's and St. Michael – St. Edward's conduct, Plaintiff has suffered and will continue to suffer the injuries and damages described herein.

79. Liabilities of St. Michael – St. Edward were transferred to, or assumed by, Sacred Heart. As a result, Sacred Heart is liable to the Plaintiff for the damages caused by St. Michael – St. Edward stated in this cause of action.

80. Liabilities of St. Michael – St. Edward and Sacred Heart were transferred

to, or assumed by, Mary of Nazareth. As a result, Mary of Nazareth is liable to the Plaintiff for the damages caused by St. Michael - St. Edward stated in this cause of action.

81. By reason of the foregoing, the Defendants are liable to the Plaintiff, jointly, severally and/or in the alternative liable to the Plaintiff for compensatory damages and for punitive damages, together with interest and costs.

WHEREFORE Plaintiff, demands judgment against the Defendants on each cause of action as follows:

- A. Awarding compensatory damages in an amount to be proved at trial, but in any event in an amount that exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction;
- B. Awarding punitive damages to the extent permitted by law;
- C. Awarding prejudgment interest to the extent permitted by law;
- D. Awarding costs and fees of this action, including attorneys' fees, to the extent permitted by law; and
- E. Awarding such other and further relief as to this Court may seem just and proper.

JURY DEMAND

Plaintiff demands a trial by jury on all issues so triable.

Dated: November 7, 2019
New York, New York

Respectfully Submitted,

/s/ Paul J. Hanly, Jr.
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